

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION

JOSEPH M. DUNN,)	
)	
Plaintiff,)	
)	
v.)	No. 2:20-cv-00213-JRS-DLP
)	
RICH WARREN,)	
EMERSON,)	
)	
Defendants.)	

REPORT AND RECOMMENDATION TO
DISMISS COMPLAINT WITHOUT PREJUDICE

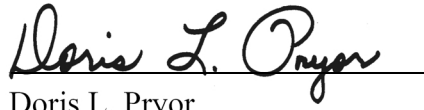
The Court scheduled a Telephonic Status Conference for December 28, 2021. (Dkt. 79). The Pro Se Plaintiff, Joseph M. Dunn, failed to appear, and Counsel for Defendants appeared telephonically. The Court issued an Order to Show Cause for Plaintiff to appear for a telephonic hearing scheduled for February 1, 2022 as to why the Plaintiff failed to appear for the December 28, 2021 Status Conference. (Dkt. 80). The Minute Entry for the December 28, 2021 conference reminded the Plaintiff of the importance of complying with court orders and appearing for all scheduled conferences. (Dkt. 21). The Minute Entry warned that his claim may be dismissed if he “fails to prosecute or comply with . . . a court order.” Fed. R. Civ. P. 41(b).

The Plaintiff failed to appear for the February 1, 2022 hearing on the Order to Show Cause. Due to the Plaintiff’s failure to comply with the Court’s orders, the Magistrate Judge recommends to the District Judge that this complaint be **DISMISSED WITHOUT PREJUDICE.**

Any objections to the Magistrate Judge's Report and Recommendation must be filed in accordance with 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b). Failure to file objections within fourteen days after service will constitute a waiver of subsequent review absent a showing of good cause for such failure.

So RECOMMENDED.

Date: 2/4/2022


Doris L. Pryor
United States Magistrate Judge
Southern District of Indiana

Distribution:

All ECF-registered counsel of record via email

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